

DEC 22 2005

**FROMMER LAWRENCE & HAUG LLP**

4660 La Jolla Village Drive, Suite 850

San Diego, California 92122

Telephone: (858) 731-5000

Facsimile: (858) 731-5001

E-mail: Firm@flhlaw.com

**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
**Firm:** U.S. Patent and Trademark Office  
**Facsimile:** 571-273-8300  
**From:** Charles E. Eggers  
**Date:** December 22, 2005  
**Re:** U.S. Patent Application No. 09/824,367  
Attorney Docket No. 450100-03146  
**Number of Pages:** 13  
(Including cover page)  
**cc:**

---

If you do not receive all pages or are unable to read the transmission, please call and ask for Chial i (Ext. 5026).

---

Dear Sir:

In connection with the Application referenced above, the following document is submitted herewith:

- Amendment (11 pages)
- Fee Transmittal (1 page)

Please acknowledge receipt by return facsimile.

---

**CONFIDENTIALITY NOTICE**

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00333465

DEC 22 2005

PATENT  
450100-03146

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Koji OBATA et al.  
 Serial No. : 09/824,367  
 For : DATA MULTIPLEXER, DATA MULTIPLEXING METHOD, AND RECORDING MEDIUM  
 Filed : April 2, 2001  
 Examiner : TANG, Karen C.  
 Art Unit : 2151

MAIL STOP AMENDMENT  
 COMMISSIONER FOR PATENTS  
 Alexandria, VA 22313-1450  
 Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

## Claims as Amended

| (1)                | (2)<br>Claims remaining<br>after amendment | (3)   | (4)<br>Highest number<br>previously<br>paid for | (5)<br>Percent extra                       | (6)<br>Rate | (7)<br>Additional<br>fee |
|--------------------|--|-------|---|--|-------------|--------------------------|
| Total claims       | 11   | Minus | 20 =  | (1 x                                       | \$50(25)    | = \$0                    |
| Independent claims | 3  | Minus | 3 =   | (1 x                                       | \$200(100)  | = \$0                    |
|                    |  |       |   | Total additional fee for<br>this amendment |             | = \$0                    |

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
 \* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
 \* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$360 (\$180) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the month following the expiration of the term originally set therefor. This is a petition to request a 0 month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A USPTO Form 2038 - Credit Card Payment Form in the amount of \$ .00 is attached, which covers the cost of ☐ additional claims and ☐ - month petition for extension of time.
- ☐ Charge \$    to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

FACSIMILE

FROMMER LAWRENCE & HAUG, LLP  
 Attorneys for Applicant(s)

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office (facsimile number: 571-273-8300) on the date shown below.

Charles E. Eggers, Reg. No. 56,343

Type or print name of  
 person signing certification

*C. Eggers*  
 Signature

December 22, 2005

Date of Signature

Charles E. Eggers, Reg. No. 56,343 for  
 By: William S. Frommer  
 Reg. No. 25,506  
 Tel. (212) 588-0800

00333459

PATENT  
Appl. No. 09/824,367  
Attorney Docket No. 450100-03146

DEC 22 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : OBATA, Koji  
Appl. No. : 09/824,367  
Filed : April 2, 2001  
For : DATA MULTIPLEXER, DATA MULTIPLEXING METHOD, AND  
RECORDING MEDIUM  
  
Art Unit : 2151  
Examiner : TANG, Karen C.

745 Fifth Avenue  
New York, New York 10151

**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the  
Patent and Trademark Office (facsimile number: 571-273-8300) on  
the date shown below.

Charles E. Eggers, Reg. No. 56,343

\_\_\_\_\_  
Type or print name of  
person signing certification

  
\_\_\_\_\_  
Signature

December 22, 2005

\_\_\_\_\_  
Date of Signature

**AMENDMENT**

Mail Stop Amendment  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action of September 26, 2005, please amend the  
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2.

Remarks/Arguments begin on page 6.